

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

In re JESSY WOOTTEN,

Case No. [20-cv-00721-DMR](#) (PR)

ORDER OF TRANSFER

On January 31, 2020, Plaintiff, who is currently in custody at the California Medical Facility (“CMF”), filed a letter, which was entered into the court’s electronic case management filing system as: “Letter re Conditions of Confinement.” Dkt. 1. This matter was opened as a *pro se* civil rights action.¹ *See id.* To date, Plaintiff has neither paid the filing fee nor submitted a completed *in forma pauperis* (“IFP”) application form.

In his letter, Plaintiff complains of constitutional violations at CMF, which is within the venue of the Eastern District of California, and it appears that any potential Defendants reside in that district. *See id.* Venue, therefore, properly lies in that district and not in this one. *See* 28 U.S.C. § 1391(b). Accordingly, in the interest of justice and pursuant to 28 U.S.C. § 1406(a), this action is TRANSFERRED to the United States District Court for the Eastern District of California.² The Clerk of the Court shall transfer the case forthwith.

¹ The court notes that on the envelope which contained his letter, Plaintiff addressed it to the Honorable Claudia Wilken, and he also wrote, “Att[n] Case # C-94-2307 CW.” Dkt. 1-1 at 1. It seems Plaintiff was referring to this district’s pending class action in *Armstrong v. Brown*, No. C 94-2307 CW (N.D. Cal. filed June 29, 1994). However, because Plaintiff did not mention this pending class action in his letter, the court need not discuss it further and construes this matter as a separate action. If Plaintiff wishes to bring any relevant issues to the attention of Judge Wilken, then he must file a motion in the *Armstrong* class action itself.

² Venue transfer is a non-dispositive matter and, thus, it falls within the scope of the jurisdiction of the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(A).

1 If Plaintiff wishes to further pursue this action, he must complete the IFP application form
2 required by the United States District Court for the Eastern District of California and mail it to that
3 district.

4 All remaining motions are TERMINATED on this Court's docket as no longer pending in
5 this district.

6 IT IS SO ORDERED.

7 Dated: 'Cr tk'42. '4242



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9 DONNA M. RYU
United States Magistrate Judge